

**45395**

**DATE:** March 17, 2015

**TO:** Honorable Board of Acquisition and Contract

**FROM:** Mae Carpenter, Commissioner  
Department of Senior Programs & Services

**RE:** Request authority to enter into an agreement with Pace University by and through its Women's Justice Center to provide Legal Services and Elder Abuse Training Services for elderly Westchester County residents, 60 years and over for an amount not to exceed \$124,126 in County funds to be paid pursuant to agreed upon unit costs for the program period January 1, 2015 and continuing through December 31, 2015.

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Attached is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Senior Programs & Services (the "Department"), to enter into an Agreement (the "Agreement") with Pace University by and through its Women's Justice Center (the "Contractor"), to provide Legal Services and Elder Abuse Training Services for elderly Westchester County residents 60 years and over (the "Program"), for an amount not to exceed \$124,126 in County funds, payable pursuant to agreed upon unit costs. The term of the Agreement will commence January 1, 2015 and continue through December 31, 2015, with the County having the sole option to renew the Agreement for up to three (3) additional one (1) year periods, provided, however that the unit-cost may be adjusted upward in order to account for cost of living increases at the sole option of the County, subject to availability of funds, acceptable past performance, and subject to the prior approval of your Honorable Board.

Legal Services to be provided by the Contractor shall be for civil matters such as, representation, consultation, advocacy, referrals, legal appeals, assistance with public benefits applications, housing matters, consumer problems, long term care problems, family court, and such other legal services as may become necessary. The Contractor will also provide Elder Abuse Training Services to the general public, senior and civic groups, professionals, first responders and community organizations.

The proposed Agreement will serve a public purpose by providing Legal Services for civil matters for elderly Westchester County residents, 60 years and over. Elder abuse training will also be conducted to educate the public about elder abuse and matters relating to the rights of the elderly.

The goals and objectives of the Agreement are to provide access to legal services for civil matters, decrease financial abuse, further the legal rights of the elderly through the skillful and innovative use of the law, and prevent or decrease elder abuse, neglect, fraud and financial exploitation.

This Agreement is in the best interest of the County in terms of public safety and economic security for elderly persons in that it will provide legal assistance in civil matters, and will provide education and outreach to elderly persons and their families and caregivers to identify and prevent elder abuse, neglect, fraud and financial exploitation.

The Agreement will be tracked, monitored and evaluated by the Department through monthly reporting activities and annual on-site reviews to determine if the performance goals and objectives of the Agreement are being met in a fiscally responsible and appropriately effective manner. Additionally, client satisfaction will be monitored through the use of surveys.

The proposed Agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3(a)xix, thereof.

Accordingly, your favorable action on the attached Resolution is most respectfully recommended.

MC/SJ

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/09/2015 - TAMR VIERA SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER, WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES, BE IT HEREBY:

**RESOLVED,** that the County of Westchester (the "County") is authorized to enter into an agreement (the "Agreement") with Pace University by and through its Women's Justice Center (the "Contractor"), to provide Legal Services and Elder Abuse Training Services to elderly Westchester County residents, 60 years and over (the "Program"), for an amount not to exceed \$124,126 in County funds, payable pursuant to agreed upon unit costs for a term commencing January 1, 2015 and continuing through December 31, 2015; and be it further

**RESOLVED,** that the County, at its sole option, may renew the Agreement for up to three (3) additional one (1) year periods, provided, however that the unit-cost may be adjusted upward in order to account for cost of living increases at the sole option of the County, subject to availability of funds, acceptable past performance, and subject to the prior approval of your Honorable Board; and be it further

**RESOLVED,** that the Agreement with the Contractor is subject to County appropriations; and be it further

**RESOLVED,** that the Agreement with the Contractor is also subject to the further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of the Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate the Agreement with the Contractor or to renegotiate the amount and rate approved therein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

**RESOLVED,** that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Credited/Charged	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
Charged	263	85	686Q	4380	1686	\$124,126

Budget Funding Year(s) 2015 Start Date 1/01/2015 End Date 12/31/15  
 (must match resolution)

Funding Source Tax Dollars \$124,126  
 State Aid \$0  
\$124,126 Federal Aid \$0  
 (must match resolution) Other \$0

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/09/2015 - JOMARY VEIRA, SECRETARY